

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

IVAN VON STAICH,

Petitioner,

v.

U.S. PAROLE COMMISSION,

Respondent.

Case No. 1:21-cv-00628-HBK

ORDER DIRECTING RESPONDENT TO
RESPOND TO PETITIONER'S REQUEST
FOR WRIT OF MANDAMUS

(Doc. No. 1)

Petitioner Ivan Von Staich initiated this action by filing a *pro se* petition for writ of mandamus under 28 U.S.C. § 1651. (Doc. No. 1). Although petitioner's claims are difficult to discern, it appears that petitioner is currently being held in state custody due to a federal parole violation. (*See generally id.*). Petitioner seeks the court to order the U.S. Parole Commission to release him from custody because he has fully served his federal sentence. (*Id.*). Without opining on the merits of petitioner's claims, the court will order respondent to respond to the petition and show cause why a writ of mandamus should not issue.

Accordingly, it **ORDERED**:

1. Within (40) forty days respondent must file a response to the petition.
2. Petitioner may file a reply to respondent's response within thirty (30) days of the date of service of the response. If no reply is filed within thirty days, the petition and response are deemed submitted.

3. Respondent must complete and return to the court within thirty days a form stating whether respondent consents or declines to consent to the jurisdiction of a United States Magistrate Judge under 28 U.S.C. § 636(c)(1).
4. The Clerk of the Court is directed to serve a copy of this order and the petition for writ of mandamus (Doc. No. 1) on the United States Attorney for the Eastern District of California.
5. Further, the Clerk of Court shall serve by certified mail a copy of this order and the petition for writ of mandamus (Doc. No. 1) on Patricia Cushwa, Acting Chairperson of the U.S. Parole Commission, 90 K St NE #300, Washington, DC 20002.

IT IS SO ORDERED.

Dated: April 16, 2021


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE